

REMARKS

Claims 26 and 28-43 are pending.

Claims 26 and 28-43 stand rejected.

Claims 26, 28 and 31 have been amended.

No new matter has been added.

Claims 26 and 28-43 are hereby submitted for reconsideration.

In the Office Action, the Examiner has rejected claims 26 and 28-43 under 35 U.S.C. § 112 for failing to comply with the written description requirement. Applicant respectfully disagrees with the Examiner's contentions and submits the following remarks in response.

Specifically, the Examiner has rejected to the language "removable cover" and said biasing mechanism, "when said removable cover is removed, automatically releases said antenna..." Applicant disagrees and respectfully submits that this limitation is fully supported in the specification as filed.

For example, Figs. 15A-15C illustrate an antenna 58 which is held in position by a cover, in this case keypad portion 18B. As shown in Fig. 15C, when the cover is removed, the antenna 58 is opened to its desired position. Furthermore, although Applicant feels that the term "removable cover" is supported by this portion of the specification, the term "removable cover" has been changed to "openable cover" to alleviate any possible confusion as to the structure and operation of the cover. Similar amendments were made in dependent claims 28 and 31 for continuity.

With respect to the second term, independent claim 26 includes the limitation that

a biasing mechanism, when the openable cover is removed, automatically releases the antenna to a desired position away from the horizontal plane. Fig. 15C and the accompanying description in the specification fully support this element. For example, the last paragraph of page 33 of the specification states:

“Fig. 15(c) illustrates antenna 58 in a retrieved position. As illustrated, antenna 58 extends away from the horizontal plane of the wireless communication device. It is noted that in accordance with one embodiment of the invention, antenna 58 is held in its closed position by a biasing mechanism, such as a spring bias, *such that when keypad 18b is removed from keypad 18a, the biasing mechanism releases antenna 58 in a desired position, without the need for the user to do so.*” (emphasis added)

As such, Applicant respectfully submits that the present invention as claimed in independent claim 26 is fully supported by the specification and figures as originally filed. Likewise, as the Examiner has cited no other specific rejections to the remaining dependent claims the rejections to claims 28-43 under 35 U.S.C. § 112 should be withdrawn for the same reasons.

Applicant further notes that substantive comments were presented in the previous Amendment dated April 14, 2003 in response to the Examiner's prior art rejection from the November 5, 2002 Office Action. In the present Office Action, the Examiner has not indicated that those rejections are maintained. Applicant submits that nothing in this present Response and Request for Reconsideration affects the validity of Applicant's earlier remarks from the previous Amendment, and requests favorable acknowledgement of the previous amendments and remarks being entered and considered.

In view of the foregoing, Applicant respectfully submits that the present invention as claimed is now in condition for allowance, the earliest possible notice of which is earnestly solicited. If the Examiner feels that a telephone interview would advance the

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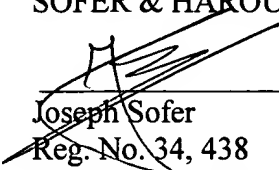
prosecution of this application they are invited to contact the undersigned at the number
listed below.

Respectfully submitted

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